

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

GARY BRICE McBAY,  
Plaintiff,

VERSUS CIVIL ACTION NO: 1:07cv1205LG-RHW

HARRISON COUNTY, MISSISSIPPI,  
by and through its Board of  
Supervisors; HARRISON COUNTY  
SHERIFF, George Payne, in his  
official capacity; CORRECTIONS  
OFFICER MORGAN THOMPSON,  
acting under color of state law,  
Defendants.

DEPOSITION OF REGINA L. RHODES

Taken at the offices of Brown Buchanan,  
P.A., 796 Vieux Marche' Mall, Suite 1,  
Biloxi, Mississippi, on Thursday,  
September 17, 2009, beginning at 2:22  
p.m.

APPEARANCES:

PATRICK R. BUCHANAN, ESQUIRE  
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ATTORNEYS FOR PLAINTIFF

JOE C. GEWIN, ESQUIRE  
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Gulfport, Mississippi 39501  
ATTORNEY FOR GEORGE PAYNE, JR.

1 had a discussion with Officer Thompson about that  
2 "X"?

3 A. Yes, I did.

4 Q. In that discussion, did Officer Thompson  
5 tell you that "X" came from Brice's head  
6 contacting the drain in the shower?

7 A. Yes, he did.

8 Q. Based on your training as a correction  
9 officer for the Harrison County Detention Center,  
10 was it okay to use force when people cussed you?

11 A. No.

12 Q. So if a drunk cussed you, you couldn't  
13 take them down, cuff them or do anything else  
14 physical to them?

15 A. No.

16 Q. Or, I guess, you shouldn't?

17 A. Not according to policy.

18 Q. Mr. Gewin talked with you about brachial  
19 plexus stun and if an inmate approached you with a  
20 shank, or a shiv I think was the word he used,  
21 and, you know, could you defend yourself. Exhibit  
22 9 I'm going to show you is Brice's Use of Force  
23 Report. If you could just verify for me -- here  
24 on the first page where it says --

25 A. Active aggression?